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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ANIBAL RODRIGUEZ, et al. individually  
and on behalf of all others similarly situated,

Plaintiff,

vs.

GOOGLE LLC,

Defendant.

Case No. 3:20-CV-04688-RS

**JOINT STIPULATION AND  
[PROPOSED] ORDER FOR OMNIBUS  
MOTION TO SEAL CLASS  
CERTIFICATION BRIEFING (Dkt. 314)**

Judge: Hon. Richard Seeborg  
Courtroom: 3, 17<sup>th</sup> Floor

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Anibal Rodriguez, et al.  
2 (“Plaintiffs”) and Defendant Google LLC (“Google”), collectively, the “Parties” submit this joint  
3 stipulation.

4 WHEREAS, on July 20, 2023, Plaintiffs filed a Notice of Motion and Motion for Class  
5 Certification and Appointment of Class Representatives and Class Counsel (Dkt. 315) (“Motion  
6 for Class Certification”) and an Administrative Motion to File Under Seal materials submitted  
7 with Plaintiffs’ Motion for Class Certification (Dkt. 314);

8 WHEREAS, the deadline for Google to file its response to Plaintiffs’ Administrative  
9 Motion to File Under Seal was July 27, 2023 as per Civil Local Rule 79-5(f)(3);

10 WHEREAS, on July 24, 2023, the Parties stipulated to an extension of Google’s time to  
11 respond to Plaintiffs’ Administrative Motion to File Under Seal by two weeks, to August 10,  
12 2023, which the Court entered the same day (Dkt. 317);

13 WHEREAS, on August 2, 2023, the Parties agreed that Google could extend its time to  
14 respond to Plaintiffs’ Administrative Motion to File Under Seal by two additional weeks, from  
15 August 10, 2023 to August 24, 2023, which the Court entered the same day (Dkt. 319);

16 WHEREAS, on August 10, 2023, the Parties met and conferred to discuss efforts to  
17 streamline the Parties’ pending motion to seal briefing: Google’s response to Plaintiffs’  
18 Administrative Motion to File Under Seal materials submitted with Plaintiffs’ Motion for Class  
19 Certification, and any forthcoming motion to seal materials being filed as part of Google’s  
20 Opposition to Plaintiffs’ Motion for Class Certification and Plaintiffs’ Reply, and any potential  
21 *Daubert* motions;

22 WHEREAS, the Parties agree that efficiencies would be gained by presenting evidentiary  
23 support for sealing all materials as part of one motion. The Parties hereby propose that the Court  
24 allow the Parties to file an omnibus motion to seal the material filed with Plaintiffs’  
25 Administrative Motion to Seal (Dkt. 314), Google’s Opposition to Plaintiffs’ Motion for Class  
26 Certification and Plaintiffs’ Reply, and any potential *Daubert* motions to be sealed as part of the  
27 Parties’ class certification briefing on October 12, 2023;

1 WHEREAS, in light of the forthcoming omnibus motion, the Parties would file public  
2 versions of briefing and exhibits in connection with Plaintiffs' Motion for Class Certification and  
3 any associated *Daubert* motions on the day such briefing is due. The Parties would also submit  
4 sealed, unredacted materials to the Court and opposing counsel by email at the time of the filing.  
5 On October 12, 2023, the Parties would file an omnibus motion to seal material filed in connection  
6 with Plaintiffs' Motion for Class Certification and any associated *Daubert* motions, attaching  
7 material sought to be sealed in the form contemplated by Civil Local Rule 79-5(e);<sup>1</sup>

8 WHEREAS, a party seeking to seal material may choose to file a less-redacted or public  
9 version of that document prior to October 12, 2023;

10 WHEREAS, the omnibus motion would follow the procedures outlined in Civil Local  
11 Rules 79-5(b)-(f) and on October 12, 2023 the Parties would file an administrative motion to seal,  
12 evidentiary support, and a proposed order, accompanied by redacted versions of all material they  
13 seek to seal (to the extent not previously filed), and under seal versions of the same, highlighting  
14 the portions for which sealing is sought. Any response would be due by October 16, 2023,  
15 consistent with Local Rule 79-5(f)(4);

16 WHEREAS, this omnibus motion would obviate the need for Google to respond to  
17 Plaintiffs' Administrative Motion to Seal (Dkt. 314) on August 24, 2023 as per this Court's Order  
18 (Dkt. 319);

19 WHEREAS, this request for an omnibus motion to seal is made to streamline this Court's  
20 review of the extensive materials already attached to Plaintiffs' Class Certification Motion and  
21 that will likely be attached to the forthcoming filings in connection with class certification, and to  
22 allow for additional time for the Parties to secure the appropriate declarants and evidentiary  
23 support to seal all of these materials;

24  
25  
26 <sup>1</sup> This requirement does not apply to material previously submitted with Plaintiffs' motion for class  
27 certification that Plaintiffs affirmatively seek to seal (as distinguished from material that Plaintiffs  
28 filed under seal because Google designated it as "Confidential" or "Highly Confidential") because  
Plaintiffs have already filed a motion to seal their own "Confidential" material associated with their  
class certification motion. Dkt. 314.

1 WHEREAS, the granting of the Parties' request for an omnibus motion to seal would not  
2 affect the case schedule (Dkt. 311);

3 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
4 Parties to this action, and pursuant to Civil Local Rules 6-2 and 7-12, that the Parties shall file an  
5 omnibus motion to seal all material filed under seal along with Plaintiffs' Administrative Motion  
6 to Seal (Dkt. 314), Google's forthcoming opposition, Plaintiffs' forthcoming reply, and any of the  
7 Parties' *Daubert* motions by October 12, 2023, and any response shall be filed by October 16,  
8 2023.

9 A Proposed Order is submitted concurrently herewith.

10 IT IS SO STIPULATED.

11  
12 DATED: August 10, 2023

WILLKIE FARR & GALLAGHER, LLP

13 By: /s/ Benedict Y. Hur

14 Benedict Y. Hur

15 *Attorneys for Defendant Google LLC*

16  
17 DATED: August 10, 2023

By: /s/ Ryan McGee

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*Attorneys for Plaintiff*

**FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5.1, I attest that all signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing.

DATED: August 10, 2023

WILLKIE, FARR & GALLAGHER LLP

/s/ Benedict Y. Hur

Benedict Y. Hur

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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

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ANIBAL RODRIGUEZ, et al. individually  
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GOOGLE LLC,

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Case No. 3:20-CV-04688-RS

**[PROPOSED] ORDER GRANTING  
REQUEST FOR OMNIBUS MOTION  
TO SEAL CLASS CERTIFICATION  
BRIEFING (Dkt. 314)**

Judge: Hon. Richard Seeborg  
Courtroom: 3, 17<sup>th</sup> Floor

Pursuant to stipulation of the Parties, the Court hereby **ORDERS** that:

- The Parties may initially submit material sought to be sealed in connection with the class certification motion and any related *Daubert* motions via email, and need not file an administrative motion to seal; and
- No later than October 12, 2023, the Parties shall file an omnibus motion to seal material related to the class certification briefing and any related *Daubert* motions, attaching (a) proposed public versions of previously sealed documents and (b) versions of such documents in which material sought to be sealed has been highlighted. Any response shall be due on October 16, 2023.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Richard Seeborg